

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

AT&T SERVICES INC., et al
Defendants,

ERICSSON INC.,
Intervenor.

Case No. 2:23-cv-00202-JRG-RSP
(Lead Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

VERIZON COMMUNICATIONS INC. and
CELLCO PARTNERSHIP D/B/A VERIZON
WIRELESS,
Defendants,

ERICSSON INC.,
Intervenor.

Case No. 2:23-cv-00203-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

XR COMMUNICATIONS, LLC, dba
VIVATO TECHNOLOGIES,
Plaintiff,

v.

T-MOBILE USA, INC.,
Defendants,

ERICSSON INC.,
Intervenor.

Case No. 2:23-cv-00204-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

JOINT MOTION TO AMEND THE DOCKET CONTROL ORDER

Plaintiff XR Communications LLC dba Vivato Technologies (“Plaintiff”) and Defendants AT&T Corp., AT&T Mobility LLC, and AT&T Services, Inc. (AT&T”), Verizon Communications, Inc. and Cellco Partnership d/b/a Verizon Wireless (“Verizon”), T-Mobile USA, Inc. (“T-Mobile”), and Intervenor Ericsson Inc. (“Ericsson”) (collectively, “Defendants/Intervenor”) (collectively “the Parties”) hereby jointly file this Joint Motion to Amend the deadlines set forth in the Fourth Amended Docket Control Order (Dkt. 154) as shown in the table below.

The Parties have met and conferred, believe there is a good cause to amend the Docket Control Order, and respectfully request that the Court enter the amended schedule. The Parties request an extension to prepare and file joint proposed jury instructions and a joint proposed verdict form after the Pretrial Conference and after the Parties have made their final disclosures.¹ The Parties believe this extension will streamline the pretrial process and narrow the focus of the jury instructions and verdict form to only those issues that remain after the Pretrial Conference and the Parties’ final disclosures. The requested extension does not affect any other starred dates, the pretrial conference, or the trial date. The Parties seek extension of the following deadlines in the below table as follows.

August 11, 2025	September 17, 2025 (or two days after Defendants disclose final invalidity theories, whichever is later) Extension limited to joint proposed jury instructions and joint proposed	*File Joint Pretrial Order, Joint Proposed Jury Instructions, Joint Proposed Verdict Form, Responses to Motions <i>in Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations
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¹ The Pretrial Conference is currently set for August 29, 2025; Plaintiff is to disclose its final election of Asserted Claims ten days before jury selection (currently September 12, 2025); and Defendants are to disclose their final invalidity theories, prior art references/combinations, and final equitable defenses seven days before jury selection (currently September 15, 2025). *See* Dkt. 154.

	verdict form.	
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Accordingly, the Parties respectfully request that the Court enter the Parties' proposed Fifth Amended Docket Control Order as reflected in the attached proposed Docket Control Order.

Dated: July 25, 2025

/s/ Paul Kroeger

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Counsel for Plaintiff

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on July 25, 2025.

/s/ Matthew S. Yungwirth
Matthew S. Yungwirth

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel for the Parties met and conferred to discuss the substantive issue addressed in this Motion pursuant to Local Rule CV-7(h). The Parties agree to the relief requested in this Motion.

/s/ Matthew S. Yungwirth
Matthew S. Yungwirth